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11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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14 LANCE IAN OSBAND, ) NO. CIV-S-97-0152 WBS KJM  
15 Petitioner, )  
16 v. ) **CAPITAL CASE**  
17 WARDEN, San Quentin State Prison, )  
18 Respondent. )  
19 \_\_\_\_\_ )  
 ) **ORDER AND**  
 ) **WRIT OF HABEAS CORPUS AD**  
 ) **TESTIFICANDUM**

20 AUBREY RICHEY, CDCR No. F-53405, a necessary and material witness in proceedings  
21 in the aforementioned case on May 1, 2007, is confined in the Avenal State Prison, Avenal, California, in  
22 the custody of the Warden, Kathy Mendoza-Powers; in order to secure this inmate's attendance it is  
23 necessary that a Writ of Habeas Corpus ad Testificandum issue commanding the custodian to produce the  
24 inmate in Court, 8<sup>th</sup> Floor, Courtroom #26, United States Courthouse, 501 "I" Street, Sacramento,  
25 California on May 1, 2007, at 9:00 a.m.

26 ACCORDINGLY, IT IS ORDERED that:

27 1. A Writ of Habeas Corpus Ad Testificandum issue, under the seal of this Court,  
28 commanding the Warden to produce the inmate named above to testify in United States District Court at

1 the time and place above, and from day to day until completion of court proceedings or as ordered by the  
2 Court; and thereafter to return the inmate to the above institution;

3           2. The custodian is ordered to notify the Court of any change in custody of this inmate and  
4 is ordered to provide the new custodian with a copy of this writ; and

5           3. The Clerk of the Court is directed to serve a courtesy copy of this order and writ of  
6 habeas corpus ad testificandum on the Out-To-Court Desk, Avenal State Prison, Avenal, California.

7 DATED: March 26, 2007.

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U.S. MAGISTRATE JUDGE

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15           **WRIT OF HABEAS CORPUS AD TESTIFICANDUM**  
16       **TO: THE WARDEN OF AVENAL STATE PRISON, AVENAL, CALIFORNIA:**

17           **WE COMMAND** you to produce the inmate named above to testify before the United  
18 States District Court at the time and place above, and from day to day until completion of the proceedings  
19 or as ordered by the Court; and thereafter to return the inmate to the above institution.

20           **FURTHER**, you have been ordered to notify the Court of any change in custody of the  
21 inmate and have been ordered to provide the new custodian with a copy of this writ.

22 DATED:  
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